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17 Attorneys for Plaintiffs, JOE KINDER and  
18 BRANDON MOSS, And the Proposed Class

19  
20 **UNITED STATES DISTRICT COURT**  
21 **NORTHERN DISTRICT OF CALIFORNIA**  
22

23 JOE KINDER and BRANDON MOSS,  
24 on behalf of themselves and all others  
25 similarly situated and the general public,

26 Plaintiff,

27 v.

28 DJI TECHNOLOGY, INC.; SZ DJI  
TECHNOLOGY CO., LTD.

Defendants.

Case No.: 4:22-cv-00601-KAW

**PLAINTIFFS' CASE  
MANAGEMENT STATEMENT**

Date: August 2, 2022

Time: 1:30 p.m.

Court:

1301 Clay Street

Oakland, CA 94612

1 Plaintiffs JOE KINDER and BRANDON MOSS (“Plaintiffs”) submit this  
2 Case Management Statement in advance of the Further Case Management  
3 Conference scheduled on August 2, 2022 at 1:30 p.m.

4 **1. Statement of the Case**

5 Plaintiffs bring this putative class action against Defendants for damages  
6 sustained by Plaintiff and the putative class, based on the Defendants’ violation of  
7 California Consumers Legal Remedies Act, Cal. Civ. Code § 1750, *et seq.*;  
8 California’s Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200, *et seq.*;  
9 California’s False Advertising Law, Cal. Bus. & Prof. Code §§ 17500, *et seq.*; for  
10 Breach of Express Warranty, Cal. Com. Code § 2313(1); for Fraud; for Negligent  
11 Misrepresentation; and for Unjust Enrichment.

12 On April 28, 2022, Defendant DJI TECHNOLOGY, INC. (“DJI TECH”) was  
13 served with the Summons and Complaint.

14 On May 18, 2022, Plaintiffs and DJI TECH filed the Joint Stipulation for  
15 Extension of Time to Respond to Complaint.

16 On May 25, 2022, Plaintiffs dismissed Defendant DJI TECH without  
17 prejudice, having learned through DJI TECH’S counsel that DJI TECH is not a  
18 proper defendant or responsible entity in this action.

19 **2. Other issues:**

20 On July 13, 2022, Plaintiffs filed the Motion for Electronic Service of  
21 Process Pursuant to Fed. R. Civ. P. 4(f)(3), requesting leave from this Court to serve  
22 Defendant SZ DJI TECHNOLOGY CO., LTD. (“SZ DJI”), a foreign corporation  
23 located at Shenzhen, China with the Summons and Complaint via electronic mail.  
24 Plaintiffs’ Motion for Electronic Service of Process is currently set to be heard on  
25 September 1, 2022 at 1:30 p.m.

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1 Plaintiffs request that this Honorable Court continue the Case Management  
2 Conference for ninety (90) days to allow a determination from this Court as to  
3 whether it will grant Plaintiffs leave to serve SZ DJI with the Summons and  
4 Complaint via electronic mail.

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6  
7 Dated: July 19, 2022

**NATHAN & ASSOCIATES, APC**

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9 By: /s/ Reuben D. Nathan

10 Reuben D. Nathan

11 Attorneys for Plaintiffs, JOE KINDER and  
12 BRANDON MOSS and the Proposed Class  
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